THE HON'BLE SRI JUSTICE GOPALA KRISHNA TAMADA

WRIT PETITION NO.34167 OF 1997

DATED: 19-02-2007

Between:-

M/s Bhagawan Sri Venkaiah Swamy
Ashramam, Golagamudi
represented by Advocate Receivers

1) K. Anantha Satyanarayana
2) P. Nageswara Rao
3) K. Rajagopal Reddy

.. Petitioners

and

The District Collector, Nellore
District, Nellore and others

.. Respondents

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WRIT PETITION NO.34167 OF 1997

ORDER:

This writ petition is filed to declare the action of the respondents in not granting patta in favour of the petitioner-Ashramam in respect of land admeasuring Acs.24-39 cents in Sy.Nos.444, 59, 54, 445 and 499 of Golagamudi, Venkatachalam Mandal, Nellore District, as illegal and arbitrary.

The brief facts of the case are that the petitioner-Ashramam, made an application to the Gram Panchayat for purchase of land of an extent of Acs.24-39 cents in Sy.Nos.444, 59, 54, 445 and 499 situated at Golagamudi, Hamlet of Ankepalli village, on market value basis, for its development. The Gram Panchayat passed a resolution on 16.09.1986 stating that it has no objection for granting patta in favour of the petitioner-Ashramam. The Mandal Revenue Inspector, having conducted inspection, submitted his report stating that the land is suitable for development of the petitioner-Ashramam. Accordingly, a notification under Section 67 (2) of the A.P. Gram Panchayat Act, 1964 (for short 'the Act') was also published on 20.03.1991 directing the Revenue Divisional Officer, Nellore to exclude the land from the control of the Gram Panchayat, Golagamudi village for the purpose of alienation of the same in favour of petitioner-Ashramam. Further, the revenue authorities, by proceedings dated 20.03.1991, recommended for grant of patta in favour of the petitioner-Ashramam. In spite of all

these proceedings, the authorities are not granting patta in favour of the petitioner-Ashramam.

In spite of the fact that the writ petition was filed as early as in the year 1997, the respondents have not chosen to file any counter.

As it is the contention of the learned counsel for the petitioner that the Mandal Revenue Inspector, having inspected the land in question, recommended the 1st respondent-Collector for grant of patta, this Court deems it appropriate to direct the 1st respondent to consider the said recommendation and pass appropriate orders either granting patta in favour of the petitioner-Ashramam or rejecting the same. This exercise shall be done within a period of six weeks from the date of receipt of a copy of this order.

With the above direction, this writ petition is disposed of. There shall be no order as to costs.

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GOPALA KRISHNA TAMADA, J

19th February, 2007
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